

AFFIDAVIT OF RICHARD M. EGBERT

I, Richard M. Egbert, under oath declare as follows:

1. I am employed as an attorney in the Commonwealth of Massachusetts.
2. I have read the Court's January 21, 2005 sealed Order, in United States v. Simone, et al., Docket No. 03-CR-10356-MLW, and am an "Authorized Individual" as defined in ¶ 5.
3. I have reviewed and will abide by the restrictions placed on the Government's Motion for Protective Order and attached January 14, 2005 letter and the Government's Ex Parte Motion for Limited Disclosure of Impounded Letter and attached letter dated September 19, 2000. I understand that "a willful violation of [this Order] may be deemed a civil and/or criminal contempt."

I declare under the pains and penalties of perjury that the foregoing is true and correct.

SIGNED this 1st day of February, 2005.

/s/ Richard M. Egbert, Esquire